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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
Dairiki et al.
Serial No. 10/523,106 ✓
Filed: February 3, 2005

Confirmation No. 7579
Attny. Docket No. 46242
Group Art Unit: 1609
Examiner: Sullivan, D.

For: GRANULATED PESTICIDAL COMPOSITION

TRANSMITTAL OF RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Response in the above-captioned application. The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)		(5)	(6)
	Claims Remaining After Amendment		Highest Number Previously Paid For		Extra Claims	Rate
Total Claims	5	-	20		0	50.00
(Small Entity)						(25.00)
Independent claims	1	-	3		0	210.00
(Small Entity)						(105.00)
Multiple Dependent	0	-	0		0	370.00
(Small Entity)						(185.00)
Extension of Time	One Month		Two Months		Three Months	Four Months
Fee	\$120		\$460		\$1,050	\$1,640
(Small Entity)	(\$60)		(\$230)		(\$525)	(\$820)
IDS						\$0
Total						\$0

The above fees are believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0687 under the above Attorney Docket Number for which purpose this paper is submitted in duplicate. **CUSTOMER NO. 20736**

Respectfully submitted,

Paul E. White, Jr.
Reg. No. 32,011
Tel. No. 202-261-1050
Fax No. 202-887-0336

Date: **September 10, 2008**

Manelli Denison & Selter, PLLC
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Washington, D.C. 20036-3307
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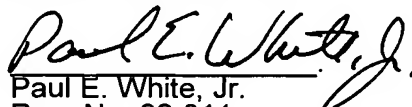
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In re Patent Application of
DAIRIKI et al.

Confirmation No. 7579
Atty Docket. No. 46242

Application No. 10/523,106
Application Filed: February 3, 2005

Group Art Unit: 1616
Examiner: Danielle Sullivan

Title: GRANULATED PESTICIDAL COMPOSITION

* * * * *

September 10, 2008

SECOND PRELIMINARY SUBMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Second Preliminary Submission follows the filing of a Request for Continued Examination (RCE) and the filing of a first Preliminary Submission with a Rule 132 Declaration, both on June 27, 2008. The present Second Preliminary Submission and the first Preliminary Submission supplement the Amendment filed April 29, 2008, under 37 CFR 1.116 in response to the Office Action dated January 29, 2008.

The present Second Preliminary Submission specifically addresses the comments stated in the Advisory Action dated June 27, 2008.

The applicants further traverse the rejection in the January 29, 2008 Office Action of claims 1-5 under 35 USC 103(a) over Suwa et al., in view of Suzuki et al. and in further view of Deming et al. None of the cited references taken alone or in combination make the presently claimed invention to be obvious.

In response to the comments in the Advisory Action regarding Suzuki et al., please note that with respect to the presently claimed invention, present claim 1 recites "polyoxyethylene tristyrylphenyl ether sulfate salt" or "polyoxyethylene